

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, JANUARY 17, 2013**

Invocation: Pastor C. Benjamin Anayacho, New Wine Gathering Church

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, January 17, 2013 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Pro Tem Cole called the Council Meeting to order at 10:06 a.m.

Mayor Leffingwell was absent.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of December 11, 2012 and regular meeting of December 13, 2012.
The minutes from the City Council work session of December 11, 2012 and regular meeting of December 13, 2012 were approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
2. Approve the issuance of a performance based incentive to Foundation Communities-Spring Terrace for the generation of solar energy at its facility located at 7101 N. IH35, Austin, Texas, for an estimated \$14,000 per year, for a total amount not to exceed \$140,000 over a 10-year period.
The motion to approve the issuance of a performance based incentive to Foundation Communities-Spring Terrace was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
3. Approve the issuance of a performance based incentive to Foundation Communities-Shady Oaks Housing for the generation of solar energy at its facilities located at 4320 S. Congress Ave., Austin, Texas, for an estimated \$12,300 per year, for a total amount not to exceed \$123,000 over a 10-year period.
The motion to approve the issuance of a performance based incentive to Foundation Communities-Shady Oaks Housing was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
4. Approve the issuance of a performance based incentive to Foundation Communities-Sierra Ridge for the generation of solar energy at its facility located at 201 W. St. Elmo, Austin, Texas, for an estimated \$6,900 per year, for a total amount not to exceed \$69,000 over a 10-year period.

The motion to approve the issuance of a performance based incentive to Foundation Communities-Sierra Ridge was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

5. Approve the issuance of a performance based incentive to Foundation Communities-Garden Terrace for the generation of solar energy at its facility located at 1015 W. William Cannon Drive, Austin, Texas, for an estimated \$11,700 per year, for a total amount not to exceed \$117,000 over a 10-year period.
The motion to approve the issuance of a performance based incentive to Foundation Communities-Garden Terrace was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
6. Approve the issuance of a performance based incentive to Goodwill for the generation of solar energy at its facility located at 6505 Burleson Road, Austin, Texas, for an estimated \$52,700 per year, for a total amount not to exceed \$527,000 over a 10-year period.
The motion to approve the issuance of a performance based incentive to Goodwill was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
7. Approve the issuance of a performance based incentive to Goodwill for the generation of solar energy at its facility located at 1015 Norwood Park Blvd., Austin, Texas, for an estimated \$52,800 per year, for a total amount not to exceed \$528,000 over a 10-year period.
The motion to approve the issuance of a performance based incentive to Goodwill was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
8. Approve the issuance of a performance based incentive to the Housing Authority of the City of Austin for the generation of solar energy at its facilities located at 2300 North Loop, Austin, Texas, for an estimated \$28,900 per year, for a total amount not to exceed \$289,000 over a 10-year period.
The motion to approve the issuance of a performance based incentive to the Housing Authority of the City of Austin was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
9. Approve the issuance of a performance based incentive to Compound Security Specialists for the generation of solar energy at its facilities located at 435 and 440 Industrial Blvd., Austin, Texas, for an estimated \$10,500 per year, for a total amount not to exceed \$105,000 over a 10-year period.
The motion to approve the issuance of a performance based incentive to Compound Security Specialists was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
10. Approve the issuance of a performance based incentive to HEB for the generation of solar energy at its facility located at 1801 E. 51st Street, Austin, Texas, for an estimated \$34,800 per year, for a total amount not to exceed \$348,000 over a 10-year period.
The motion to approve the issuance of a performance based incentive to HEB was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
11. Approve the issuance of a performance based incentive to Planet K for the generation of solar energy at its facility located at 727 W. Stassney Lane, Austin, Texas, for an estimated \$5,800 per year, for a total amount not to exceed \$58,000 over a 10-year period.
The motion to approve the issuance of a performance based incentive to Planet K was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

12. Approve issuance of a rebate to IBM Corporation for the installation of energy efficient equipment at 11400 Burnet Road in an amount not to exceed \$66,089.
The motion to approve the issuance of a rebate to IBM Corporate was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
13. Authorize reimbursement of costs to SLR Austin Domain I, LLC, for the purchase and installation of heat exchangers and associated piping needed to interconnect the Streetlights residential complex to the Austin Energy District Cooling System, in an amount not to exceed \$324,864.
The motion authorizing the reimbursement of costs to SLR Austin Domain I, LLC was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
14. Approve an ordinance regarding the revised rates and tariff proposed by PK-RE Development Company, Inc., in its Statement of Intent dated September 19, 2012, for water and wastewater service provided to its customers in the corporate limits of the City of Austin located in the area known as Greenshores on Lake Austin.
Ordinance No. 20130117-014 was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
15. Approve an ordinance authorizing negotiation and execution of amended cost reimbursement agreements with Club Deal 120 Whisper Valley, L.P., and Club Deal 116 Indian Hills Tx, L.P., for the design of a 3.0 million gallon wastewater treatment plant, and the construction of a 500,000 gallon wastewater treatment plant and 30" wastewater interceptor; and amending the Fiscal Year 2012-2013 Austin Water Utility Capital Budget (Ordinance 20120910-002) to reallocate \$100,000 for the amended Club Deal 120 Whisper Valley, L.P. and Club Deal 116 Indian Hills Tx, L.P. agreement.
Ordinance No. 20130117-015 was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
16. Approve Service Extension Request No. 3158 for water service to a 1.49 acre tract of land, known as 8647 W. Highway 290, located within the Drinking Water Protection Zone and the City's 2-mile extraterritorial jurisdiction.
This item was postponed on consent to January 31, 2013 on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
17. Amend Ordinance No. 20120910-001, the Fiscal Year 2013 Operating Budget, to revise Austin Water Utility Financial Policy #8 related to the review of growth-related capital improvement projects located within the Drinking Water Protection Zone.
Ordinance No. 20130117-017 was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
18. Authorize negotiation and execution of an amendment to the Collection Agreement between the City of Austin and United States Forest Service for research, monitoring, data analysis, and population and habitat suitability modeling for the endangered golden-cheeked warbler and Balcones Canyonlands Preserve to increase the annual extension amount for the three remaining extension options by \$20,000, for a total contract amount not to exceed \$390,899.
The motion authorizing the negotiation and execution of an amendment to the collection agreement between the City of Austin and United States Forest Service was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
19. Authorize negotiation and execution of professional services agreements with the following 8 staff recommended firms (or one of the other qualified responders): LIMBACHER & GODFREY

ARCHITECTS, INC. (WBE/FW); THE LAWRENCE GROUP, INC.; MCKINNEY YORK ARCHITECTS (WBE/FW); AUSTIN ARCHITECTURE PLUS, INC. dba ARCHITECTURE + PLUS (WBE/FW); STANLEY-SALAIZ JOINT VENTURE; ROBERT JACKSON AND MICHAEL MCELHANEY ARCHITECT, INC.; HPA LLP dba HATCH+ULLAND OWEN ARCHITECTS; and, MWM DESIGN GROUP, INC. dba MWM DESIGN GROUP (WBE/FH) for the 2013 General Architectural Services Rotation List for an estimated period of 2 years or until financial authorization is expended, with the total amount not to exceed \$4,000,000 divided among the 8 firms. (Notes: This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE subconsultant participation.)

The motion authorizing the negotiation and execution of professional services agreement with Limbacher & Godfrey Architects, Inc. (WBE/FW); The Lawrence Group, Inc.; McKinney York Architects (WBE/FW); Austin Architecture Plus, Inc. doing business as Architecture + Plus (WBE/FW); Stanley-Salaiz Joint Venture; Robert Jackson and Michael McElhaney Architect, Inc.; HPA LLP doing business as Hatch+Ulland Owen Architects; and MWM Design Group, Inc. doing business as MWM Design Group (WBE/FH) was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

20. Authorize negotiation and execution of change order #14 to the construction contract with BRH-GARVER CONSTRUCTION, LP, for Anderson Mill/RR 620 Transmission Main Northwest Zone C36 Project in the amount of \$176,952 for a total contract amount not to exceed \$3,139,782.86. (Notes: This contract was awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 7.88% MBE and 32.68% WBE subcontractor participation to date including this change order.)

The motion authorizing the negotiation and execution of change order number fourteen to the construction contract with BRH Garver Construction, LP was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

21. Authorize negotiation and execution of an amendment to the existing Interlocal Cooperation Agreement between the City and Travis County to provide ground emergency medical services in areas of Travis County outside the City's corporate limits and dispatch to Travis County's STAR Flight program for a 12-month term beginning January 29, 2013.

The motion authorizing the negotiation and execution of an amendment to the existing interlocal cooperation agreement between the City and Travis County was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

22. Authorize negotiation and execution of an amendment to the legal services contract with Thompson & Knight, L.L.P. Austin, Texas, for legal services related to Gables/Seaholm Parking Garage, in the amount of \$40,000 for a total contract not to exceed \$92,608.

The motion authorizing the negotiation and execution of an amendment to the legal services contract with Thompson & Knight, L.L.P. was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

Item 23 was pulled to be heard after the staff presentation.

24. Authorize negotiation and execution of an amendment to a legal services contract with Lloyd Gosselink Rochelle & Townsend, P.C., for services related to PUCT Docket No. 40627, Petition by Homeowners United for Rate Fairness to Review City of Austin Rate Ordinance No. 20120607-055, to increase the contract amount by \$1.4 million, for a revised total contract amount not to exceed \$2.85 million.

The motion authorizing the negotiation and execution of an amendment to a legal services contract with Lloyd Gosselink Rochelle & Townsend, P.C. was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

25. Authorize negotiation and execution of an amendment to a legal services contract with Reeves & Brightwell LLP for legal services related to Aigner v. City of Austin, Cause No. GN-12-003451 in the 53rd District Court of Travis County, to increase the contract amount by \$875,000, for a revised total amount not to exceed \$ 931,000.
The motion authorizing the negotiation and execution of an amendment to a legal services contract with Reeves & Brightwell LLP was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
26. Authorize execution of an interlocal agreement with the Texas Department of Motor Vehicles to access the vehicle title registration database for a one year period with automatic annual renewals. The anticipated yearly cost will not exceed \$20,000. Related to Item #29.
The motion authorizing the execution of an interlocal agreement with the Texas Department of Motor Vehicles was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
27. Approve a resolution authorizing negotiation and execution of an interlocal agreement with the Texas Department of Motor Vehicles for a five year term to withhold vehicle registrations for people with outstanding traffic warrants, fines, and unpaid red light camera cases. The anticipated yearly cost will not exceed \$15,000.
Resolution No. 20130117-027 was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
28. Authorize negotiation and execution of an interlocal agreement with the Texas Department of Public Safety (DPS) to continue participation in a program that facilitates DPS withholding defendant's driver license renewals for failure to appear or comply with Municipal Court orders. This interlocal agreement is for a term of one year and will renew annually.
The motion authorizing the negotiation and execution of an interlocal agreement with the Texas Department of Public Safety (DPS) was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
29. Authorize negotiation and execution of an interlocal agreement with the Texas Department of Motor Vehicles to establish a motor vehicle inquiry account that allows remote electronic access to vehicle title and registration records for a one year period with automatic annual renewals. The anticipated yearly cost will not exceed \$5,000. Related to Item #26.
The motion authorizing the negotiation and execution of an interlocal agreement with the Texas Department of Motor Vehicles was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
30. Amend Ordinance No. 20121018-083, to correct the legal description, survey exhibit, and field notes for the rezoning known as Villeda Family, located at 10652 Dessau Road.
Ordinance No. 20130117-030 was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

Items 31 and 32 were pulled for discussion.

33. Approve an ordinance authorizing execution of an Interlocal Agreement with Travis County to share costs for sidewalk construction, inspection, and maintenance along RM1826 from Summervale Drive to the North Entrance of Seton Southwest Hospital; accepting grant funds in the amount of \$60,000 from Travis

County; amending the Fiscal Year 2012-2013 Public Works Department Operating Budget Special Revenue Fund (Ordinance No. 20120910-001) to appropriate these funds; and amending the Public Works Department Capital Budget (Ordinance No. 20120910-002) to transfer in and appropriate these funds from the Public Works Department Operating Budget Special Revenue Fund.

Ordinance No. 20130117-033 was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

34. Authorize award and execution of a 24-month requirements service contract with WHELAN SECURITY COMPANY, INC., or one of the other qualified bidders for IFB-BV STA0182, to provide unarmed security guard and patrol services for Austin Water Utility facilities in an estimated amount not to exceed \$2,238,264, with two 24-month in an estimated amount not to exceed \$2,238,264 per extension option, for a total estimated contract amount not to exceed \$6,714,792.(Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.) Recommended by the Water and Wastewater Commission
The motion authorizing the award and execution of a requirements service contract with Whelan Security Company, Inc. was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

35. Authorize award and execution of Amendment No. 9 to a revenue contract with LONE STAR RIVERBOAT, INC., for a paddlewheel boating concession on Lady Bird Lake for the Parks and Recreation Department to extend the contract for a period of 24 months, providing estimated revenue of \$61,916, for a revised estimated contract revenue total of \$300,134.(Notes: This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)
The motion authorizing the award and execution of amendment number nine to a revenue contract with Lone Star Riverboat, Inc. was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

36. Authorize, award and execution of a 10-month contract with BANK OF AMERICA, for provisional banking services for the City's Utility Billing System (Customer Care & Billing System) in an estimated amount not to exceed \$120,000.(Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority -Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)
The motion authorizing the award and execution of a contract with Bank of America was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

Item 37 was pulled for discussion.

38. Authorize award and execution of a 48-month requirements supply agreement with UNIFIRST CORPORATION, for the rental of work uniforms, shop towels and cleaning services for Fleet Services, Austin Resource Recovery and Austin Water Utility Department, in an estimated amount not to exceed \$2,305,580 with one 60-month extension option in an amount not to exceed \$2,881,975 for a total agreement amount not to exceed \$5,187,555.(Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No Subcontracting opportunities were identified; therefore, no goals were established for this solicitation.) Recommended by the Water and Wastewater Commission
The motion authorizing the award and execution of a requirements supply agreement with Unifirst Corporation was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

39. Authorize award, negotiation and execution of Amendment No. 1 to a contract with ALTEC INDUSTRIES for the lease of truck-mounted aerial devices and digger derricks, to increase the contract amount by \$575,245 (\$115,049 annually) for Phase II and \$418,215 (\$83,643 annually) for Phase III, for a revised total estimated contract amount not to exceed \$11,727,190.(Notes: This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)
The motion authorizing the award, negotiation and execution of amendment number one to a contract with Altec Industries was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
40. Authorize award and execution of a contract with ADVANCED MECHANICAL SYSTEMS, INC., for the purchase and delivery of three chilled water pumps for Austin Energy's Domain District Cooling System in an amount not to exceed \$133,860.(Notes: This contract will be awarded in compliance with Chapter 2-D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)
The motion authorizing the award and execution of a contract with Advanced Mechanical Systems, Inc. was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
41. Authorize award and execution of a contract with DUPERON CORPORATION, for the purchase of a Bar Screen for Austin Water Utility's Walnut Creek Wastewater Treatment Plant, for a total contract amount not to exceed \$427,000.(Notes: This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.) Recommended by the Water and Wastewater Commission
The motion authorizing the award and execution of a contract with Duperon Corporation was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
42. Authorize award and execution of a sole source service contract with SCHNEIDER ELECTRIC USA, INC., for the retrofitting of main switchgear breakers for the Austin Water Utility for a total contract amount not to exceed \$166,773.(Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.) Recommended by the Water and Wastewater Commission
The motion authorizing the award and execution of a sole source service contract with Schneider Electric USA, Inc. was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
43. Authorize award and execution of a 36-month requirements service contract with W-S INDUSTRIAL SERVICES, INC. for the de-scaling of solids contact clarifier mechanisms at Ullrich Water Treatment Plant for the Austin Water Utility in an amount not to exceed \$912,295 with three 12-month extension options in an estimated amount not to exceed \$304,098 per extension option for a total estimated contract amount not to exceed \$1,824,590. (Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation.) Recommended by the Water and Wastewater Commission
The motion authorizing the award and execution of a requirements service contract with W-S Industrial Services, Inc. was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

44. Authorize award and execution of a 10-month contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with ARNOLD OIL COMPANY and TEX CON OIL CO., for oil, grease, and lubricants in an estimated annual amount of \$252,000 each and combined, with two 12-month extension options in an estimated amount not to exceed \$317,520 each and combined for the first extension option, and \$333,396 each and combined for the second extension option, for a total estimated contract amount not to exceed \$902,916.(Notes: This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)
The motion authorizing the award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with Arnold Oil Company and Tex Con Oil Co. was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
45. Authorize award and execution of a 12-month requirements supply contract with 3M COMPANY to provide downloadable Penguin Publishing Group books for the Austin Public Library in an estimated amount not to exceed \$90,000, with five 12-month extension options in an estimated amount not to exceed \$90,000 per extension option, for a total estimated contract amount not to exceed \$540,000.(Notes: This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)
The motion authorizing the award and execution of a requirements supply contract with 3M Company was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
46. Authorize award and execution of a 12-month requirements contract through the Texas Local Government Purchasing Cooperative (Buy Board) with PCMALLGOV, for AIM, a database client/server application, licenses and support for Early Intervention Software for the Austin Police Department, Internal Affairs in an estimated amount not to exceed \$79,750, with two 12-month extension options for technical assistance and support in an amount not to exceed \$10,000 per extension option, for a total estimated contract amount not to exceed \$99,750. (Notes: This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)
The motion authorizing the award and execution of a requirements contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with PCMallGov was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
47. Authorize award, negotiation, and execution of a 60-month requirements service contract with BIKE SHARE OF AUSTIN, to implement market, operate, and manage the Bike Share Program for the Public Works Department with one, 60-month extension option. BIKE SHARE OF AUSTIN is a non-profit organization and will be reimbursed for its approved costs from the operating revenues of the program.(Notes: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)
The motion authorizing the award, negotiation and execution of a requirements service contract with Bike Share of Austin was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
48. Approve a resolution authorizing negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation to activate a project for signal improvements at the intersection of South First Street at West Slaughter Lane with the City's contribution in an amount not to exceed \$19,564.

Resolution No. 20130117-048 was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

49. Approve an ordinance amending City Code Section 13-2-275 regarding pedicab inspection requirements. **Ordinance No. 20130117-049 was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.**
50. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members. **The following appointments and waivers were approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.**

Nominations

Board/Nominee

Nominated by

Austin Community Technology and Telecommunications Commission
Taylor Overstreet

Mayor Leffingwell

Austin Mayor's Committee for People with Disabilities
Kathy Keller

Council Member Riley

Building and fire Code Board of Appeals
Scott Witt

Mayor Leffingwell

Nominations to Intergovernmental Bodies

Board/Nominee

Nominated by

Central Health Board of Managers
Rosie Mendoza

Council

Housing Authority of the City of Austin
Dr. Tyra Duncan-Hall
Henry Flores

Mayor Leffingwell
Mayor Leffingwell

Lone Star Rail District
Sid Covington

Council

Travis Central Appraisal District Board of Directors
Eleanor Powell

Council

Approve a resolution appointing Eleanor Powell to the Travis Central Appraisal District Board of Directors.

Resolution No. 20130117-050 was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

Waivers

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Rhonda Paver on the Early Childhood Council. The waiver includes absences through today's date.

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Michael Webber on the Electric Utility Commission. The waiver includes absences through today's date.

51. Approve an ordinance creating a pilot program to authorize walking and biking in certain trails on a 24-hour basis for the 2013 calendar year and waiving City Code Section 8-1-14 regarding park curfews for the limited purpose of walking or biking during the pilot program period. (Notes: SPONSOR: Council Member Chris Riley CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Kathie Tovo)
This item was postponed on consent to January 31, 2013 on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
52. Approve a resolution addressing the reimbursement of reasonable and necessary personal expenses incurred by members of the Applicant Review Panel and the Independent Citizens Redistricting Commission. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Mike Martinez)
Resolution No. 20130117-052 was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

Item 53 was pulled for discussion.

54. Approve a resolution directing the City Manager to evaluate the feasibility of using the City-owned property located at 6909 Ryan Drive for a pocket park and model energy efficient, affordable, and family-friendly multi-family development and to conduct community outreach before moving forward with any long-term plans for this property. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Laura Morrison CO 2: Council Member Mike Martinez)
Resolution No. 20130117-054 was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
55. Approve a resolution amending the City's Legislative Program relating to payday loans and auto title loans and directing the City Manager to engage the City's legislative team to articulate the City's position on payday and auto title regulation to the appropriate leaders. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member William Spelman)
Resolution No. 20130117-055 was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
56. Approve a resolution initiating zoning for the Dessau Business Park Annexation area, described by Ordinance No. 20121108-035 and generally located east of the intersection of Dessau Road and East Howard Lane, and directing the City Manager to process the zoning for the property. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Mayor Lee Leffingwell)
Resolution No. 20130117-056 was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
57. Approve a resolution directing the City Manager to perform an analysis of the causes of the increase in traffic fatalities in Austin in 2012 and develop countermeasures to prevent future fatalities. (Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member William Spelman CO 2: Council Member Mike Martinez)
Resolution No. 20130117-057 was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

Item 58 was pulled for discussion.

59. Approve a resolution amending the City's legislative program for the 83rd Legislature to include the City's endorsement of legislation authorizing meet and confer bargaining for non-public safety employees. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member William Spelman CO 2: Council Member Mike Martinez)

Resolution No. 20130117-059 was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

Items 60 and 61 were pulled for discussion.

62. Approve an ordinance waiving certain fees for RunTex, Rogue, and Luke's Locker that are required to have a permit to place water coolers on City park land for public use. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member William Spelman CO 2: Council Member Chris Riley)
Ordinance No. 20130117-062 was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
63. Set a public hearing to consider approval of an ordinance adopting the seventh plan modification to the East 11th and 12th Streets Urban Renewal Plan. (Suggested date and time: January 31, 2013, 4:00 p.m. at Austin City Hall, 301 West Second Street, Austin TX.)
The public hearing was set on consent for January 31, 2013 at 4:00 p.m. at City Hall at 301 West Second Street, Austin TX on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.
64. Set a public hearing to consider an ordinance amending City Code Chapter 25-2 to encourage the relocation of historically significant buildings in the Rainey Street subdistrict of the Waterfront Overlay Combining District to appropriate locations outside of the subdistrict in lieu of demolition. (Suggested date and time: February 14, 2013, at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set on consent for February 14, 2013 at 4:00 p.m. at City Hall at 301 West Second Street, Austin TX on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

Items 65 and 66 were briefing items set for 10:30 a.m.

Items 67 and 68 were Executive Session items.

Item 69 was a bond sale item set for 2:00 p.m.

Items 70 through 88 were zoning items set for 2:00 p.m.

Item 89 was an AHFC meeting set for 3:00 p.m.

Items 90 through 99 were public hearing items set for 4:00 p.m.

DISCUSSION ITEMS

53. Approve a resolution signifying the Austin City Council's intent to support a Constitutional Amendment and/or other legislative actions ensuring that money is not speech, and therefore the expenditure of money to influence the electoral or legislative process is not a form of constitutionally protected speech, and shall be regulated. (Notes: SPONSOR: Council Member William Spelman CO 1: Council Member Kathie Tovo CO 2: Council Member Laura Morrison)
Resolution No. 20130117-053 was approved on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.
23. Approve a settlement and consent decree to be entered in Texas Campaign for the Environment vs. Lower Colorado River Authority, No. 4:11-CV-00791, in the United States District Court, Southern District of Texas, Houston Division. (related to the Fayette Power Plant)
The motion approving the settlement and consent decree to be entered in Texas Campaign for the Environment vs. Lower Colorado River Authority was approved on Council Member Martinez'

motion, Council Member Spelman's second, on a 6-0 vote. Mayor Leffingwell was absent. The settlement reached between the parties on the claim regarding particulate matters emissions consisted of two components: 1.) LCRA agrees to operate the plant within certain parameters regarding particulate matters emissions and 2.) The parties agree that LCRA will install monitoring equipment regarding particulate matters emissions and report the results of the monitoring to the plaintiff and to the public.

58. Approve a resolution consenting to the creation of the proposed Emergency Services District No. 2A in Northern Travis County. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Mike Martinez)

Resolution No. 20130117-058 was approved on Council Member Martinez' motion, Council Member Riley's second on a 6-0 vote. Mayor Leffingwell was absent.

37. Authorize award, negotiation, and execution of Amendment No. 5 to a contract with MOTOROLA SOLUTIONS, INC. to add a software upgrade, additional licenses, implementation, support, and hosting services and one 12-month contract extension for the existing Customer Service Request system in an amount not to exceed \$723,559, and to increase the first and second extension options in amounts not to exceed \$64,464 and \$66,168 respectively, for a total contract amount not to exceed \$3,481,403. (Notes: This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

This item was postponed to February 14, 2013 on Council Member Morrison's motion, Council Member Spelman's second on a 6-0 vote. Mayor Leffingwell was absent. Direction was given to staff to present to the Austin Community Technology and Telecommunications Commission on February 13, 2013.

60. Approve a resolution to direct the City Manager to conduct a mid-year budget work session. (Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member William Spelman)

Resolution No. 20130117-060 with the following amendment was approved on Council Member Morrison's motion, Council Member Riley's second on a 6-0 vote. Mayor Leffingwell was absent. The amendment was to include the Arc of the Capital Area in the mid-year budget conference.

61. Approve a resolution directing the City Manager to provide information to council and to take appropriate steps to authorize an election for voter approval of a General Obligation Bond Proposition for affordable housing. (Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Chris Riley CO 2: Council Member William Spelman)

Resolution No. 20130117-061 with the following friendly amendments was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Mayor Leffingwell was absent.

The following friendly amendments were accepted by the maker of the motion and by Mayor Pro Tem Cole, who made the second.

The friendly amendments from Council Member Morrison were to:

- **Add a new whereas to read, "WHEREAS, the City Council has by resolutions 20121213-098 and 20121213-065 undertaken efforts to identify short-term funding opportunities for affordable housing programs and long-term opportunities through the Affordable Housing Trust Fund."**
- **Add as bullet point under list of information from staff to Council "update on current plans for tax ratification and/or bond elections of other governmental jurisdictions within the City of Austin".**

The friendly amendment from Council Member Tovo was to have the second Be It Further Resolved clause to read, “The City Manager is directed to review previous practices of the City of Austin and best practices of other cities to identify long-term sources of funding for affordable housing, including but not limited to permanent supportive housing, single family and multi-family ownership and rental opportunities, rental assistance, preservation programs, and home repair programs.

The friendly amendment from Council Member Martinez was to have the item go through the Health and Human Service sub-committee prior to coming back to Council.

Items 31 and 32 were acted on in a combined motion.

31. Approve second/third readings of an ordinance to annex the Estancia Hill Country/Wunneburger Strange area for full purposes (approximately 619 acres in southern Travis County west of IH 35 South approximately eight-tenths of a mile south of the intersection of IH 35 South and Onion Creek Parkway). Related to Item #32.

This item was postponed indefinitely on Council Member Spelman’s motion, Council Member Riley’s second on a 6-0 vote. Mayor Leffingwell was absent.

32. Authorize the negotiation and execution of the Estancia Hill Country Annexation and Development Agreement, concerning annexation and development of approximately 600 acres in southern Travis County, west of IH 35 South, approximately eight tenths of a mile south of the intersection of IH 35 South and Onion Creek Parkway. Related to Item #31.

The motion authorizing the negotiation and execution of the Estancia Hill Country Annexation and Development agreement was approved on Council Member Spelman’s motion, Council Member Riley’s second on a 6-0 vote. Mayor Leffingwell was absent.

CITIZEN COMMUNICATIONS: GENERAL

Kathy Correa – Crestview Neighborhood Pocket Park

Paul Robbins – City issues

Lynette Alley – Crestview Neighborhood Park

Carlos León - 1.) Sandy's Chemtrails 2.) Truth 3.) Read the Bible 4.) Get right with God

Rae Nadler-Olenick – A Black Pediatrician Speaks Out About Water Fluoridation, Part 1

Walter Olenick – A Black Pediatrician Speaks Out About Water Fluoridation, Part 2

Anthony Walker – Building trust with APD and the community / Byron Carter Jr. shooting

Henry Levine – Austin Energy property on Ryan Dr. to propose change for a public park

Rochelle Day – Money and politics – Citizens united by the Supreme Court **Not present when name was called.**

Melissa Zone – Crestview Neighborhood

Mayor Pro Tem Cole recessed the Council Meeting to go into Executive Session at 12:56 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

67. Discuss legal issues related to Open Government matters. (Private consultation with legal counsel-Section 551.071)
68. Discuss legal issues related to November 6, 2012 election. (Private consultation with legal counsel-Section 551.071)
This item was withdrawn.

Executive Session ended and Mayor Pro Tem Cole called the Council Meeting back to order at 2:03 p.m.

DISCUSSION AND POSSIBLE ACTION ON BOND SALES

69. Approve an ordinance authorizing the issuance of City of Austin Rental Car Special Facility Revenue Bonds, Taxable Series 2013, in an amount not to exceed \$150,000,000.00, subject to specified parameters set forth in the ordinance, authorizing related documents and approving related fees. These funds will be used to finance costs of the Consolidated Rental Car Facility (CONRAC), including, without limitation, the acquisition and construction of the CONRAC, funding debt service, and other reserves, and paying the costs of issuance.
Ordinance No. 20130117-069 was approved on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Mayor Leffingwell was absent.

BRIEFINGS

65. Annual Economic Development and Opportunity Austin Update.
The presentation was made by Kevin Johns, Director of Economic Growth and Redevelopment Services and Dave Porter, Senior Vice President, Austin Chamber of Commerce.
66. Austin Energy Update on the Electric Vehicle Program.
The presentation was made by Karl Popham, Manager, Electric Vehicles and Emerging for Austin Energy.

Mayor Pro Tem Cole recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 3:07 p.m. See separate minutes.

Mayor Pro Tem Cole called the Council Meeting back to order at 3:08 p.m.

ZONING CONSENT ITEMS

Items 76, 77, 81, 82, 85 and 87 were acted on in a combined motion.

76. NPA-2012-0026.02 - Georgian Retail - Conduct a public hearing and approve an ordinance amending Ordinance No. 20100624-110, the North Lamar Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 9310 Georgian Drive (Little Walnut Creek Watershed) from Single Family land use to Neighborhood Mixed Use land use. Staff Recommendation: To grant Neighborhood Mixed Use land use. Planning Commission Recommendation: To grant Neighborhood Mixed Use land use. Owner/Applicant: Amir Hossein Batoeinng. City Staff: Maureen Meredith, 974-2695.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20130117-076 to change the land use designation on the future land use map (FLUM) to Neighborhood Mixed Use was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

77. C14-2012-0101- 9310 Georgian Drive - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9310 Georgian Drive (Little Walnut Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. Staff Recommendation: To grant limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-mixed use- conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Owner/Applicant: Amir Hossein Batoeinng. City Staff: Sherri Sirwaitis, 974-3057.

The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

81. C14-2012-0092 - Slaughter Crossing - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8801-1/2 South Congress Avenue (Onion Creek Watershed) from development reserve (DR) district zoning, single family residence-standard lot (SF-2) district zoning and general commercial services-conditional overlay (CS-CO) combining district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning, with conditions. Owner/Applicant: AggieGO Austin, Ltd. (Paul J. Clarke). Agent: RPS Espey (Dale W. Gray). City Staff: Wendy Rhoades, 974-7719.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20130117-081 for general commercial services-conditional overlay (CS-CO) combining district zoning, with conditions was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

82. C14-2012-0093 - Legends Way - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 10925 Bradshaw Road (Onion Creek Watershed; Rinard Creek Watershed) from interim-rural residence (I-RR) district zoning to single family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single family residence-standard lot (SF-2) district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant single family residence-standard lot (SF-2) district zoning, with conditions. Owner/Applicant: First Continental Investment Co. (Joe DiQuinzio). Agent: Carlson, Brigrance & Doering, Inc. (Geoff Guerrero). City Staff: Wendy Rhoades, 974-7719.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20130117-082 for single family residence-standard lot (SF-2) district zoning, with conditions was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

85. C14-2012-0129 - Public Storage - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13685 North U.S. Highway 183 (Lake Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning and Platting

Commission Recommendation: To grant general commercial services-conditional overlay combining (CS-CO) district zoning. . Owner/Applicant: Laurmic (Michael T. Pokorny). Agent: Jackson Walker, L.L.P. (Katherine P. Loayza). City Staff: Sherri Sirwaitis, 974-3057.

The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for general commercial services-conditional overlay combining (CS-CO) district zoning was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

87. C14-2012-0143 - 7303 Burleson Road Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 7303 Burleson Road (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to limited industrial service (LI) district zoning. Staff Recommendation: To grant limited industrial service-conditional overlay (LI-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited industrial service-conditional overlay (LI-CO) combining district zoning. Owner/Applicant: Chall Ltd. (Len Layne). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 974-7719.
- The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20130117-087 for limited industrial service-conditional overlay (LI-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**

70. C14-2012-0070 - Drink. Well. Rezone - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 207 East 53rd Street (Waller Creek Watershed) from neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning to community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning. First reading approved on September 27, 2012. Vote 6-0. Mayor Pro Tem Cole was off the dais. Second reading approved on December 6, 2012. Vote 7-0. Applicant: M & J Properties, L.L.C. (Michael Sanders). Agent: Vasquez Ventures, L.L.C. (Rick Vasquez). City Staff: Clark Patterson, 974-7691.
- This item was postponed to January 31, 2013 at the staff's request on Council Member Morrison's motion, Council Member Spelman's second on a 6-0 vote.**

78. C14-2012-0060 - 8401 South 1st Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8401 South 1st Street (South Boggy Creek Watershed) from development reserve (DR) district zoning and single family residence-standard lot (SF-2) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning for Tract 1 and townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning for Tract 1 and townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning for Tract 2. Owner/Applicant: PV First Street Investors LLC (Joe Simmons). Agent: Aquila Commercial (Jim Gallegos). City Staff: Wendy Rhoades, 974-7719.
- This item was postponed to January 31, 2013 at the staff's request on Council Member Spelman's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.**

79. C14-2011-0065 - The Austin Hotel - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 800 and 804 Congress Avenue (Town Lake Watershed) from central business district (CBD) and central business district-historic landmark (CBD-H) combining district zoning to central business district-central urban redevelopment district (CBD-CURE) and central business district-historic landmark-central urban redevelopment district (CBD-H-CURE) combining district zoning. Staff Recommendation: To grant central business district-central urban redevelopment district (CBD-CURE) combining district zoning and central business district-historic landmark-central urban redevelopment district (CBD-H-CURE)

combining district zoning. Planning Commission Recommendation: To deny central business district-central urban redevelopment district (CBD-CURE) combining district zoning and central business district-historic landmark-central urban redevelopment district (CBD-H-CURE) combining district zoning. Applicant: Gone to Texas Capital One, L.P. (David Kahn), The Karotkin Family Real Estate Trust (Doris Karotkin, Trustee). City Staff: Clark Patterson, 974-7691. A valid petition has been submitted in opposition to this rezoning request.

This item was postponed to January 31, 2013 at the staff's request on Council Member Martinez' motion, Council Member Spelman's second on a 6-0 vote. Mayor Leffingwell was absent.

80. C14-2012-0083 - Cirrus Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 800 West 6th Street, and 602-702 West Avenue (Shoal Creek Watershed) from downtown mixed use-conditional overlay-central urban redevelopment district (DMU-CO-CURE) combining district zoning for Tract 1, and limited office (LO) district zoning and general office (GO) district zoning for Tract 2 to downtown mixed use-central urban redevelopment district (DMU-CURE) combining district zoning for Tract 1 and downtown mixed use (DMU) district zoning for Tract 2. Staff Recommendation: To grant downtown mixed use-central urban redevelopment district (DMU-CURE) combining district zoning for Tract 1 and downtown mixed use (DMU) district zoning for Tract 2. Planning Commission Recommendation: To be reviewed on January 22, 2013. Applicant: Cirrus Logic, Inc. (Thurman Case). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Clark Patterson, 974-7691.

This item was postponed to February 14, 2013 at the staff's request on Council Member Tovo's motion, Council Member Spelman's second on a 6-0 vote. Mayor Leffingwell was absent.

84. C14-2012-0123 - The Paloma - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1123 East 11th Street (Town Lake Watershed) from commercial-liquor sales-neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district zoning to commercial-liquor sales-neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant commercial-liquor sales-neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district zoning, with conditions. Planning Commission Recommendation: To grant commercial-liquor sales-neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district zoning, with conditions. Owner/Applicant: 1123 Partners (Mark Vornberg). City Staff: Heather Chaffin, 974-2122.

This item was postponed to January 31, 2013 at the staff's request on Council Member Morrison's motion, Council Member Spelman's second on a 6-0 vote. Mayor Leffingwell was absent.

Items 71 through 75 were acted on in a combined motion.

71. NPA-2012-0019.01 - West 34th Street Redevelopment - Conduct a public hearing and approve an ordinance amending Ordinance No. 040826-056, the Central Austin Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 3206 West Avenue, 3205 and 3207 Grandview Street (Shoal Creek Watershed; Waller Creek Watershed) from Single Family land use to Mixed Use/Office land use. Staff Recommendation: To grant Mixed Use/Office land use. Planning Commission Recommendation: To grant Mixed Use/Office land use. Owner/Applicant: B & G Partners, L.P. (Richard D. Stilovich). Agent: Armbrust & Brown, PLLC (Amanda Morrow) and McCann Adams Studios (Jana McCann). City Staff: Maureen Meredith, 974-2695.

This item was postponed to January 31, 2013 at the applicant's request at a time certain of 6:00 p.m. on Council Member Morrison's motion, Council Member Spelman's second on a 5-0 vote. Council Member Tovo recused herself. Mayor Leffingwell was absent.

72. C14-2011-0131 - West 34th St. Redevelopment, Tract "A" - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 800

and 808 West 34th Street (Shoal Creek Watershed; Waller Creek Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Planning Commission Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Applicant: REIT Management & Research, L.L.C. (Richard Stilovich). Agent: McCann Adams Studio (Jana McCann). City Staff: Clark Patterson, 974-7691.

This item was postponed to January 31, 2013 at the applicant's request at a time certain of 6:00 p.m. on Council Member Morrison's motion, Council Member Spelman's second on a 5-0 vote. Council Member Tovo recused herself. Mayor Leffingwell was absent.

73. C14-2011-0132 - West 34th St. Redevelopment, Tract "B" - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3316 Grandview Street (Shoal Creek Watershed; Waller Creek Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Planning Commission Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Applicant: REIT Management & Research, L.L.C. (Richard Stilovich). Agent: McCann Adams Studio (Jana McCann). City Staff: Clark Patterson, 974-7691.

This item was postponed to January 31, 2013 at the applicant's request at a time certain of 6:00 p.m. on Council Member Morrison's motion, Council Member Spelman's second on a 5-0 vote. Council Member Tovo recused herself. Mayor Leffingwell was absent.

74. C14-2011-0133 - West 34th St. Redevelopment, Tract "C" - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 801 West 34th Street, 3205 and 3207 Grandview Street, and 3206 West Avenue (Shoal Creek Watershed; Waller Creek Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Planning Commission Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Applicant: REIT Management & Research, L.L.C. (Richard Stilovich). Agent: McCann Adams Studio (Jana McCann). City Staff: Clark Patterson, 974-7691.

This item was postponed to January 31, 2013 at the applicant's request at a time certain of 6:00 p.m. on Council Member Morrison's motion, Council Member Spelman's second on a 5-0 vote. Council Member Tovo recused herself. Mayor Leffingwell was absent.

75. C14-2011-0134 - West 34th St. Redevelopment, Tract "D" - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 715 West 34th Street (Shoal Creek Watershed; Waller Creek Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Planning Commission Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, with conditions. Applicant: REIT Management & Research, L.L.C. (Richard Stilovich). Agent: McCann Adams Studio (Jana McCann). City Staff: Clark Patterson, 974-7691.

This item was postponed to January 31, 2013 at the applicant's request at a time certain of 6:00 p.m. on Council Member Morrison's motion, Council Member Spelman's second on a 5-0 vote. Council Member Tovo recused herself. Mayor Leffingwell was absent.

86. C14-2012-0130 - 4th & Guadalupe Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 401 Guadalupe Street, 304 West 4th Street and 400 Lavaca Street (Town Lake Watershed) from central business district (CBD) district zoning to central business district-central urban redevelopment district (CBD-CURE) combining district zoning. Staff Recommendation: To grant central business district-central urban redevelopment district (CBD-CURE) combining district zoning. Planning Commission Recommendation: To approve central business district -central urban redevelopment district (CBD-CURE) combining district zoning. Applicant: LG Guadalupe, L.P. (Ben Pisklak) & Austin Trust Company (Ann Graham & Susan Harris). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Clark Patterson, 974-7691. **This item was postponed on consent to February 14, 2013 at the neighborhood's request on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.**

ZONING DISCUSSION ITEMS

83. C14-2012-0114 - Monaco II - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2440 Wickersham Lane (Country Club East Creek Watershed) from multi-family residence-low density (MF-2) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Owner: PDQ Austin Overlook, Inc. (T. Mark Knutsen). Applicant: Vaughn & Associates (Rick Vaughn). City Staff: Lee Heckman, 974-7604. **The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning with the following amendment and friendly amendments was approved on Council Member Riley's motion, Council Member Spelman's second on a 6-0 vote. Mayor Leffingwell was absent. The amendment was to delete the prohibition of liquor sales.**

There was a friendly amendment made by Council Member Spelman to prohibit drive through uses. The amendment was accepted by the maker of the motion.

There was a friendly amendment made by Council Member Morrison to pass the Planning Commission recommendation as is with direction to staff to work with the applicant and neighborhood and come back with a proposal on how to impose suggested restrictions. The amendment was not accepted by the maker of the motion.

Direction was given to staff to conduct outreach to the neighbors, neighborhood planning contact team and Monaco Homeowners Association members that have not been a part of the discussion.

88. C14H-2012-0012 - Sellstrom House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2617 Pecos Street (Johnson Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Staff Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission Recommendation: To deny family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: Historic Landmark Commission. Owner: Kit Carson, Ltd. City Staff: Steve Sadowsky, 974-6454. **The public hearing was conducted and the motion to close the public hearing and deny the rezoning request was approved on Council Member Martinez' motion, Mayor Pro Tem Cole's second on a 5-0 vote. Council Member Spelman was off the dais. Mayor Leffingwell was absent.**

PUBLIC HEARINGS AND POSSIBLE ACTIONS

Items 90 through 95 were acted on in a combined motion.

90. Approve an ordinance amending City Code Chapter 25-2 to create the East Riverside Corridor (ERC) zoning district, adopt a regulating plan for the district, amend Subchapter E: Design Standards & Mixed Use to exempt the ERC zoning district, and approve a collector street plan for the East Riverside Corridor Area on property located along or in proximity to East Riverside Drive, between IH-35 on the west and State Highway 71 on the east. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON NOVEMBER 8, 2012. PER CITY CODE SECTION 25-5-27, ADDITIONAL SPEAKERS WILL NOT BE REGISTERED FOR THIS ITEM.

The motion to postpone this item to February 28, 2013 was made by Council Member Morrison and seconded by Council Member Martinez. The motion failed on a vote of 3-3. Mayor Leffingwell was absent. Those voting aye were: Council Members Martinez, Morrison and Tovo. Those voting nay were: Mayor Pro Tem Cole and Council Members Riley and Spelman. Direction was given to staff to ensure that other stakeholders are aware and involved in any additional stakeholder meetings.

This item was postponed to March 7, 2013 on Council Member Riley's motion, Council Member Spelman's second on a 6-0 vote. Mayor Leffingwell was absent.

91. NPA-2012-0021.02 - East Riverside Corridor Regulating Plan (East Riverside/Oltorf Combined (EROC) Neighborhood Planning Area) - Approve an ordinance amending Ordinance No. 20061116-055, an element of the Imagine Austin Comprehensive Plan, by adopting the East Riverside Corridor Regulating Plan and changing the future land use designations of approximately 815 acres from various future land use designations to Specific Regulating District (SRD), on property in the EROC Neighborhood Planning Area located along or in proximity to East Riverside Drive, between IH-35 on the west and Grove Boulevard on the east (Harper's Branch Watershed, Town Lake Watershed, Country Club East Creek Watershed, Country Club West Creek Watershed, Carson Creek Watershed). Staff Recommendation: To grant Specific Regulating District. Planning Commission Recommendation: To grant Specific Regulating District, with conditions. On November 8, 2012, Council conducted the public hearing. Applicant and Agent: Planning and Development Review Department. City Staff: Erica Leak, 974-2856. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON NOVEMBER 8, 2012. PER CITY CODE SECTION 2-5-27, ADDITIONAL SPEAKERS WILL NOT BE REGISTERED FOR THIS ITEM.

The motion to postpone this item to February 28, 2013 was made by Council Member Morrison and seconded by Council Member Martinez. The motion failed on a vote of 3-3. Mayor Leffingwell was absent. Those voting aye were: Council Members Martinez, Morrison and Tovo. Those voting nay were: Mayor Pro Tem Cole and Council Members Riley and Spelman. Direction was given to staff to ensure that other stakeholders are aware and involved in any additional stakeholder meetings.

This item was postponed to March 7, 2013 on Council Member Riley's motion, Council Member Spelman's second on a 6-0 vote. Mayor Leffingwell was absent.

92. NPA-2012-0005.04 - East Riverside Corridor Regulating Plan (Montopolis Neighborhood Planning Area) - Approve an ordinance amending Ordinance No. 010927-05, an element of the Imagine Austin Comprehensive Plan, by adopting the East Riverside Corridor Regulating Plan and changing the future land use designations of approximately 271 acres from various future land uses designations to Specific Regulating District (SRD), on property in the Montopolis Neighborhood Planning Area located along or in proximity to East Riverside Drive, between Grove Boulevard on the west and State Highway 71 on the east (Country Club East Creek Watershed, Carson Creek Watershed, Colorado River Watershed). Staff Recommendation: To grant Specific Regulating District. Planning Commission Recommendation: To

grant Specific Regulating District, with conditions. On November 8, 2012, Council conducted the public hearing. Applicant and Agent: Planning and Development Review Department. City Staff: Erica Leak, 974-2856. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON NOVEMBER 8, 2012. PER CITY CODE SECTION 2-5-27, ADDITIONAL SPEAKERS WILL NOT BE REGISTERED FOR THIS ITEM.

The motion to postpone this item to February 28, 2013 was made by Council Member Morrison and seconded by Council Member Martinez. The motion failed on a vote of 3-3. Mayor Leffingwell was absent. Those voting aye were: Council Members Martinez, Morrison and Tovo. Those voting nay were: Mayor Pro Tem Cole and Council Members Riley and Spelman. Direction was given to staff to ensure that other stakeholders are aware and involved in any additional stakeholder meetings.

This item was postponed to March 7, 2013 on Council Member Riley's motion, Council Member Spelman's second on a 6-0 vote. Mayor Leffingwell was absent.

93. C14-2012-0111a - East Riverside Corridor Regulating Plan (East Riverside Neighborhood Planning Area) - Approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning 13 tracts (approximately 228 acres) within the East Riverside Corridor Regulating Plan boundaries, on property in the East Riverside Neighborhood Planning Area located along or in proximity to East Riverside Drive, between IH-35 on the west and Pleasant Valley Road on the east (Harper's Branch Watershed, Town Lake Watershed, Country Club West Creek Watershed) from unzoned, rural residence-neighborhood plan (RR-NP) combining district zoning, multi-family residence-low density (MF-2) district zoning, multi-family residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning, multi-family residence-medium density (MF-3) district zoning, multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning, multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning, multi-family residence-moderate-high density (MF-4) district zoning, multi-family residence-moderate-high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning, multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning, limited office-neighborhood plan (LO-NP) combining district zoning, limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning, general office-neighborhood plan (GO-NP) combining district zoning, general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning, general office-mixed-use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning, neighborhood commercial-neighborhood plan (LR-NP) combining district zoning, neighborhood commercial-vertical mixed use building-conditional overlay-neighborhood plan (LR-V-CO-NP) combining district zoning, community commercial (GR) district zoning, community commercial-conditional overlay (GR-CO) combining district zoning, community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning, community commercial-neighborhood plan (GR-NP) combining district zoning, community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning, warehouse/limited office-conditional overlay-neighborhood plan (W/LO-CO-NP) combining district zoning, general commercial services (CS) district zoning, general commercial services-conditional overlay (CS-CO) combining district zoning, general commercial services-neighborhood plan (CS-NP) combining district zoning, general commercial services-mixed-use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning, commercial-liquor sales (CS-1) district zoning, commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning, commercial-liquor sales-mixed-use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning, and lake commercial-conditional overlay-neighborhood plan (L-CO-NP) combining district zoning to East Riverside Corridor (ERC) district zoning. The proposed zoning changes will implement the land use recommendations of the adopted East Riverside Corridor (ERC) Master Plan. Staff Recommendation: To grant East Riverside Corridor (ERC) district zoning. Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, with conditions. On

November 8, 2012, Council conducted the public hearing. Applicant and Agent: Planning and Development Review Department. City Staff: Erica Leak, 974-2856. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON NOVEMBER 8, 2012. PER CITY CODE SECTION 2-5-27, ADDITIONAL SPEAKERS WILL NOT BE REGISTERED FOR THIS ITEM.

The motion to postpone this item to February 28, 2013 was made by Council Member Morrison and seconded by Council Member Martinez. The motion failed on a vote of 3-3. Mayor Leffingwell was absent. Those voting aye were: Council Members Martinez, Morrison and Tovo. Those voting nay were: Mayor Pro Tem Cole and Council Members Riley and Spelman. Direction was given to staff to ensure that other stakeholders are aware and involved in any additional stakeholder meetings.

This item was postponed to March 7, 2013 on Council Member Riley's motion, Council Member Spelman's second on a 6-0 vote. Mayor Leffingwell was absent.

94. C14-2012-0111b - East Riverside Corridor Regulating Plan (Pleasant Valley Neighborhood Planning Area) - Approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning 14 tracts (approximately 365 acres) within the East Riverside Corridor Regulating Plan boundaries, on property in the Pleasant Valley Neighborhood Planning Area located along or in proximity to East Riverside Drive, between Pleasant Valley Road on the west and Grove Boulevard on the east (Country Club East Creek Watershed, Country Club West Creek Watershed) from rural residence (RR) district zoning, rural residence-neighborhood plan (RR-NP) combining district zoning, single family residence-large lot-neighborhood plan (SF-1-NP) combining district zoning, single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning, family residence-neighborhood plan (SF-3-NP) combining district zoning, multi-family residence-low density (MF-2) district zoning, multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning, multi-family residence-low density-neighborhood plan (MF-2-NP) combining district zoning, multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning, multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning, multi-family residence-moderate-high density (MF-4) district zoning, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning, general office-mixed-use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning, neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning, neighborhood commercial-neighborhood plan (LR-NP) combining district zoning, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning, community commercial (GR) district zoning, community commercial-conditional overlay (GR-CO) combining district zoning, community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning, community commercial-neighborhood plan (GR-NP) combining district zoning, community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning, warehouse/limited office-conditional overlay-neighborhood plan (W/LO-CO-NP) combining district zoning, general commercial services (CS) district zoning, general commercial services-conditional overlay (CS-CO) combining district zoning, general commercial services-mixed-use-neighborhood plan (CS-MU-NP) combining district zoning, commercial-liquor sales (CS-1) district zoning, commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning, industrial park-neighborhood plan (IP-NP) combining district zoning, and limited industrial service-neighborhood plan (LI-NP) combining district zoning to East Riverside Corridor (ERC) district zoning. The proposed zoning changes will implement the land use recommendations of the adopted East Riverside Corridor (ERC) Master Plan. Staff Recommendation: To grant East Riverside Corridor (ERC) district zoning. Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, with conditions. On November 8, 2012, Council conducted the public hearing. Applicant and Agent: Planning and Development Review Department. City Staff: Erica Leak, 974-2856. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON NOVEMBER 8, 2012. PER CITY CODE SECTION 2-5-27, ADDITIONAL SPEAKERS WILL NOT BE REGISTERED FOR THIS ITEM.
- The motion to postpone this item to February 28, 2013 was made by Council Member Morrison and seconded by Council Member Martinez. The motion failed on a vote of 3-3. Mayor Leffingwell**

was absent. Those voting aye were: Council Members Martinez, Morrison and Tovo. Those voting nay were: Mayor Pro Tem Cole and Council Members Riley and Spelman. Direction was given to staff to ensure that other stakeholders are aware and involved in any additional stakeholder meetings.

This item was postponed to March 7, 2013 on Council Member Riley's motion, Council Member Spelman's second on a 6-0 vote. Mayor Leffingwell was absent.

95. C14-2012-0112 - East Riverside Corridor Regulating Plan (Montopolis Neighborhood Planning Area) - Approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning 11 tracts (approximately 235 acres) within the East Riverside Corridor Regulating Plan boundaries, on property located in the Montopolis Neighborhood Planning Area along or in proximity to East Riverside Drive, between Grove Boulevard on the west and State Highway 71 on the east (Country Club East Creek Watershed, Carson Creek Watershed, Colorado River Watershed) from rural residence-neighborhood plan (RR-NP) combining district zoning, family residence-neighborhood plan (SF-3-NP) combining district zoning, single family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning, multi-family residence-low density-neighborhood plan (MF-2-NP) combining district zoning, multi-family residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning, multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning, multi-family residence-medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district zoning, general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning, neighborhood commercial-neighborhood plan (LR-NP) combining district zoning, neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning, community commercial-neighborhood plan (GR-NP) combining district zoning, community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning, general commercial services-neighborhood plan (CS-NP) combining district zoning, general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and limited industrial service-neighborhood plan (LI-NP) combining district zoning to East Riverside Corridor (ERC) district zoning. The proposed zoning changes will implement the land use recommendations of the adopted East Riverside Corridor (ERC) Master Plan. Staff Recommendation: To grant East Riverside Corridor (ERC) district zoning. Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, with conditions. On November 8, 2012, Council conducted the public hearing. Applicant and Agent: Planning and Development Review Department. City Staff: Erica Leak, 974-2856. THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON NOVEMBER 8, 2012. PER CITY CODE SECTION 2-5-27, ADDITIONAL SPEAKERS WILL NOT BE REGISTERED FOR THIS ITEM.

The motion to postpone this item to February 28, 2013 was made by Council Member Morrison and seconded by Council Member Martinez. The motion failed on a vote of 3-3. Mayor Leffingwell was absent. Those voting aye were: Council Members Martinez, Morrison and Tovo. Those voting nay were: Mayor Pro Tem Cole and Council Members Riley and Spelman. Direction was given to staff to ensure that other stakeholders are aware and involved in any additional stakeholder meetings.

This item was postponed to March 7, 2013 on Council Member Riley's motion, Council Member Spelman's second on a 6-0 vote. Mayor Leffingwell was absent.

96. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2, Subchapter C, Article 3, Division 9 (University Neighborhood Overlay District Requirements) relating to affordable housing regulations in the university neighborhood overlay (UNO) district.

This item was postponed to February 28, 2013 on Council Member Morrison's motion, Council Member Spelman's second on a 6-0 vote. Mayor Leffingwell was absent.

97. Conduct a public hearing and consider an ordinance authorizing floodplain variances requested by the owners of a single-family residence that is located in the 25-year and 100-year floodplains of Shoal Creek, so that they may convert their garage into a living area.

This item was postponed to January 31, 2013 on Council Member Spelman's motion, Council Member Morrison's second on a 6-0 vote. Mayor Leffingwell was absent.

98. Conduct a public hearing in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code and consider a resolution approving the use of approximately 2,830 square feet of land for a permanent wastewater line and approximately 4,825 square feet of land for a temporary working space for construction, use, maintenance, repair, and replacement of wastewater line for the Austin Water Utility Wastewater Line Relay and Spot Repair Services 3014-3125 Hemphill Park Drive Project through dedicated parkland known as Hemphill Park.

The public hearing was conducted and the motion to close the public hearing and approve Resolution No. 20130117-098 was approved on Council Member Tovo's motion, Council Member Martinez' second on a 6-0 vote. Mayor Leffingwell was absent.

99. Conduct a public hearing regarding the application submitted by American Medical Response of Texas, Inc. to renew a non-emergency transfer franchise, under Chapter 10-2 of the City Code and approve the franchise agreement on first reading.

The public hearing was conducted and the motion to close the public hearing and approve the franchise agreement on first reading was approved on Council Member Martinez' motion, Council Member Tovo's second on a 6-0 vote. Mayor Leffingwell was absent.

Mayor Pro Tem Cole adjourned the meeting at 5:18 .m. without objection.

LIVE MUSIC

Carrie Rodriguez

PROCLAMATIONS

Distinguished Service Award – Jane Sibley – to be presented by Council Member Kathie Tovo and to be accepted by the honoree

Proclamation – Walkability Week – to be presented by Council Member Chris Riley and to be accepted by Jessica Lemann and
Laura Toups

The minutes were approved on this the 31st day of January 2013 on Council Member Morrison's motion. Council Member Spelman's second on a 7-0 vote.